

CHAPTER 6

WHAT THIS PROGRAM MEANS TO LOCAL COMMUNITIES

Active participation in the New Hampshire coastal program by local governmental units is voluntary. The program does not include new laws or increase the present number of state or local permits required for private development activities. As long as statewide interests are managed, developed decisions and community character will be determined by local governments.

Coastal communities can choose to participate in the program by requesting financial and technical assistance. Technical assistance will be available to local communities to aid in site specific problem solving including short-term scientific, environmental and planning studies. Assistance will be provided upon request of the local community. Technical assistance can be used to address such problems as coastal wetlands management, park, recreation and dock facilities siting, public access, water quality, erosion, historic preservation, natural areas preservation and restoration, and coastal land use planning problems. The state coastal program shall rely on the expertise of existing state agencies for this technical assistance, and shall utilize coastal funds to augment state agency staff capability where necessary.

Coastal communities may participate in the program by applying for financial assistance from the coastal program to improve their capabilities in addressing local coastal management issues. Local government activities eligible for funding include such projects as coastal resource protection, planning and management, public access and recreation planning, management of development in high hazard areas, shoreline zoning, waterfront renewal and redevelopment planning, coastal growth management, and historic preservation.

Section 306A grants will also be available for coastal communities for project and activities consistent with the Section's purposes. These purposes are: 1) preservation and restoration of areas that are important because of their conservation, recreation, ecological, or aesthetic values; or contain coastal resources of national significance; 2) redevelopment of deteriorating and underutilized urban waterfronts and ports, and 3) provision of access to public beaches, coastal areas and coastal waters. Examples of projects which may be eligible for grants are land acquisition, low cost construction such as paths, walkways, parks, etc., educational and management activities, rehabilitation of structures, public access projects, engineering designs and specifications, and shoreline stabilization.

COASTAL COMMUNITIES

Seabrook
Hampton Falls
Hampton
North Hampton
Rye
New Castle
Portsmouth

Newington
Greenland
Stratham
Exeter
Newfields
Newmarket
Durham
Madbury
Dover
Rollinsford

Through the coastal advisory committee, communities have a direct input into the formation of the on-going state coastal program. The committee will help set the priorities where coastal funding should be directed on the local levels, as well as established coordination links between local communities and state and federal agencies.

CHAPTER 7

PUBLIC INVOLVEMENT AND PROGRAM COORDINATION

Citizen Participation

Public participation was encouraged during the initial development of the New Hampshire Coastal Program and will be encouraged during the review of this FEIS. The state provides opportunities for participation by affected local, regional, state and federal units of government, interest groups and the general public in the development and implementation of the Coastal Program.

Below are some examples of these public information and participation activities coordinated by the New Hampshire Office of State Planning.

- Meetings, conferences, and workshops held to inform and educate the public and seek public comments. These occurred during the course of six years and through the process of three legislative sessions, during each of which one or more bills were submitted for legislative action.
- The media were extensively utilized to develop public awareness. Newspapers articles, press releases, film and slide-show presentations, radio and television appearances, and informational handouts were just some of the techniques employed in this effort.
- State and federal agency input was solicited during program development as alternative draft legislation and program proposals were formulated.
- A bi-monthly newsletter, "Coastal Soundings," mailed to over six hundred coastal residents, and local, state, and federal officials, provided information on program development, articles of coastal interest, and a calendar of coastal meetings and events.
- A brochure, "New Hampshire's Coastal Program," was published in August 1980, and widely distributed throughout the state.
- An advisory committee, composed of twenty-two members representing a variety of coastal interests and communities, was appointed by the Governor in 1979. The Committee held fourteen public work sessions over a five month period as it drafted a bill designed to reflect and balance the diverse needs and concerns of the coastal area. The committee then presented its coastal program proposal at six public information meetings, soliciting comments and making revisions where necessary.

- The Office of State Planning provided staff assistance to the Advisory Committee and worked with the committee to involve as many citizens as possible in the program development process. The coastal program staff met with selectmen and planning boards in many of the seventeen coastal municipalities to directly inform them of the program's elements and to seek their comments.
- Legislative contact was maintained by advisory committee members and coastal staff after coastal legislation (HB 423) was formally submitted to the 1981 session of the General Court. Coastal staff assisted the committee in coordinating testimony in behalf of the bill before a joint House/ Senate hearing. Passage in the House was by voice vote; the Senate declined to pass the bill in spite of considerable support voiced at the hearing and in letters to the respective legislative committee chairmen.
- Following the defeat of HB 423, the Office of State Planning reviewed those concerns expressed during the hearing process: state authority in the coastal area is already sufficient, no more is needed; implementation of a federal program is of questionable benefit in the face of pending reduction of federal funds; a balanced and better coordinated program for resource protection and reasonable development is essential in the limited coastal area. Based on an assessment of those concerns, state statutes and regulations were reviewed to determine whether New Hampshire had the basis for an approvable program under existing authority. A program using current authority was developed by the Office of State Planning, in cooperation with the affected state agencies and the Office of Ocean and Coastal Resource Management, and widely distributed for comment throughout the state. Subsequently, approval was granted for the Ocean and Harbor segment of the New Hampshire coast.

Considerable time and interest has already been expended by New Hampshire citizens in the process of shaping a program uniquely suited to the geographic and political situations of the state. Continued public involvement is seen as an essential component to carry out an effective coastal program.

One means by which to accomplish this function was the establishment of the Governor's Coastal Advisory Committee. Appointed by the Governor in late 1983, members of the committee reflect the diverse interests on the coast. The committee has served as a forum for discussing coastal issues. Within this context, the committee initially held public meetings in each of the communities within the jurisdiction of the Program. These meetings provided local coastal officials and residents with the opportunity to express their opinions on a variety of coastal issues. The Advisory Committee also serves as the vehicle to bring together state agencies, local officials and legislators, citizens and private sector entities in order to resolve coastal issues and concerns. Examples of these efforts include working with legislators on the successful passage of legislation prohibiting development on the sand dunes in Seabrook; working to appropriate the necessary construction funds to replace the deteriorated portions of the seawall at Hampton Beach; and working with other state agencies to obtain state funds for

the purpose of dredging Rye and Hampton harbors.

In addition, the Office of State Planning provides for a continuing public information program on matters relating to the Coastal Program via:

- The opening of a Coastal Office in Portsmouth as a means of coordinating state field staff activities and for providing a greater opportunity for serving the public.
- Several educational/resource workshops which were held and attended by coastal officials and residents.
- Articles and other Program related publications, particularly the bi-monthly State Planning News, which is distributed to over two thousand officials and interested citizens in the coast and around

Participation by the area citizens in the development and review of the Program focused on two primary activities:

- Local citizens, officials and legislators were notified in late December, 1985, of the Program's intent to bring the Great Bay area into the Program. These constituencies received copies of a summary explaining the ramifications and impacts of the expanded Program to citizens and communities around the Bay. These residents were also notified that (1) the complete program document was available for their review, and (2) meetings were being held in order to hear citizens' reactions to the proposed program.
- Two public hearings were held in January, 1986, for the purpose of reviewing the specifics of the expanded Program with bay area residents and officials, in addition to hearing their comments and reactions to the Program. The first hearing, hosted by the Governor's Coastal Advisory Committee, in Durham, was well attended by over fifty persons. This was followed by a second smaller hearing which was jointly sponsored by the Rockingham and Strafford planning agencies and held in Exeter. Attendees at both sessions were overwhelmingly in support of an expanded program. Summaries of both hearings are available to the public at the State Planning Office and the Office of Ocean and Coastal Resource Management.

State Agency Coordination

The Office of State Planning's Coastal Program functions as the State's lead agency in coordinating the actions, responsibilities and activities of state

agencies with jurisdiction in the coast. This continued coordination is achieved in a number of different ways:

- Monthly meetings of various state agencies' staff funded under the Program are held at the coastal office in Portsmouth to coordinate the review of and action on pending permit applications affecting the water quality and dredge and fill laws of the State.
- A monthly report of state agency activities is distributed to the various agencies participating in the Program. This serves to keep all agencies abreast of ongoing and planned activities in the coast.
- Through a Memorandum of Understanding with the State Department of Transportation, highway related construction activities are reviewed by the Program staff.
- Review and comment on pending publicly funded proposals under the State's Intergovernmental Review Process to ensure compatibility with the goals and policies of the Program.
- The Council on Resources and Development (CORD), permanently chaired by the Office of State Planning, provides coastal program coordination among state agencies. The Council obtains information from state and federal agencies as necessary and consults on common problems and issues in order to coordinate and integrate policies, priorities and funding in the coast. In addition, the Council has the authority to adjudicate water resource conflicts among member agencies. In December 1985, at the request of the State Historic Preservation Office, Council members agreed to serve as the forum to resolve conflicts regarding historic review procedure rules and regulations.
- In 1987 the Office of State Planning (OSP) and SHPO developed a Memorandum of Agreement (Appendix C) whereby OSP will monitor building permit applications in the Portsmouth Historic District to determine its effect on historic resources of that area. This serves as a safeguard to insure that SHPO is made aware of any projects within these areas in a timely manner. SHPO agrees to review these projects against the criteria put forth in the draft regulations of February 1987 (to supersede Res-H 400) (Appendix C).

State Participation

In December 1985, Coastal Program staff contacted nineteen state agencies regarding the development of this Coastal Program. In addition, all agencies received a copy of the Program working draft for review and comment. Responding agencies generally support program expansion and comments have been minor. Participation in the program is accomplished primarily through funding. A number of state agencies receive funds to support their efforts to enforce the goals and policies of the Program. As such, funds to support regulatory/enforcement authorities are used by the Water Supply and Pollution Control Commission, Wetlands Board, and the Office of the Attorney General. In addition, memoranda of agreement have been signed with the Department of

Transportation (2), and the Water Supply and Pollution Control Commission (1) as a means of achieving coordinated state agency participation and actions in the coast.

Federal Agency Participation

Since the early days of the development of the Program and continuing to the present, OSP has contacted over fifty federal agencies and requested information regarding agency missions and comments on the Program. In addition, twenty-five agencies received copies of the working draft of the Coastal Program for review and comment. Program staff also held a meeting for federal agencies in Boston (January, 1986) to review the specifics of the proposal. All comments received generally support the expanded program.

Also, copies of the State Planning News, as well as other publications of the Program, are sent to many federal agencies as part of a continuing effort to keep them current with the activities of the Program.

Meetings between Program staff, state and federal agencies' field staff have been held as a means of fostering a coordinated working relationship among those agencies with regulatory authority over activities in the coast. In addition, federal agencies participate in monthly coastal staff meetings. Finally, an important way in which the Coastal Program has attempted to further the involvement and participation of federal agencies is by developing memoranda of understanding. Such agreements have been signed by and are in effect with the Federal Highway Administration and the Department of Defense.

Local, Regional and State Plans Coordination

The Program has been coordinated with the following plans:

State Plans:

- New Hampshire Outdoors 1983, an update of the 1977 New Hampshire Outdoor Recreation Plan, has been prepared as the state's policy plan for outdoor recreation and conservation. The plan identifies major issues regarding the state's recreation and natural resources and offers a series of options which can be taken to help solve the problems. Key issues identified have been included in the Program within policy area 2, recreation and public access. Further, priority projects identified in this plan are given priority consideration for funding under the Program, particularly in the area of public access.
- New Hampshire Water Resource Management Plan was prepared pursuant to Chapter 402, Laws of 1983 and reviewed by Program staff during its initial stages vis-a-vis compatibility with coastal policies. Consistent with coastal policy areas 1 and 4, this report recognizes

the interrelationship of water availability and demand and the need to consider a wide range of concerns in managing our water resources.

- Report to the Governor by the Governor's Advisory Commission on Highways, 1985, serves as the ten year plan for the construction, reconstruction and maintenance of the State's highway system. The five criteria that were used to establish project benchmarks for the next ten years reinforce the policy statements regarding highway system expansion in the coastal area. See Policy 8.
- Little Harbor Mooring Management Plan (1985), developed by the New Hampshire Port Authority and funded by the Coastal Program, examines the means by which to meet the demands of recreational boaters along the coast. Consistent with coastal policies on recreation and public access, implementation of the plan has resulted in increasing the number of boat moorings in the harbor area. This has proved so successful that, working with the Coastal Program, efforts are underway to expand implementation of the plan along the Piscataqua River area in Portsmouth.
- State Policy Document, Draft (1985), developed for the Council on Resources and Development by OSP staff, is designed to address long range issues and coordinate overlapping authorities in guiding state decisions relative to future growth, development and use of land in New Hampshire. Incorporating the policy areas of the Coastal Program, the document contains specific recommendations for implementing goals and policies which address critical elements of the overall growth picture of the State.

Regional Plans:

- Southeastern New Hampshire Water Resources Study (1985), prepared by the U.S. Army Corps of Engineers at the request of the Office of State Planning and other agencies, looks at the coastal area's water resources problems and needs. In particular, the report focused on the "most efficient method of integrating surface and groundwater supplies to optimize use of the area's water resources." Major concerns in the area of water supply and water quality are incorporated and reflected in Policy 11. In addition, projects undertaken as part of the Coastal Program, such as funding field staff to enforce and monitor the state's water quality laws, are designed to focus on critical issues which emerged as part of this regional plan.
- A Groundwater Guide for the Strafford Region (1981). This plan examines the role of groundwater to the area's present and future water supply. Initial recommendations, such as working with local officials on preparing aquifer protection ordinances, are currently being funded under the Program.

The Rockingham and Strafford regional planning agencies have also coordinated their various regional plans with the Program. These include, among others, the following:

- Septage Management in the Rockingham Planning Commission Area (1985)
- Regional Housing and Community Development Plan (1985)
- Transportation Improvement Program (1985)

Local Plans:

- The Coastal Program has awarded funds to communities in order to assist them in developing long range plans (Town of Rye, Rye Beach Village District). Indirect assistance to communities has also been provided through the area's regional planning agency which provided staff to prepare local master plans (Towns of Hampton, Hampton Falls and New Castle). In both of these instances, resulting master plans incorporated and reflected the goals, policies and issues of the Program.

In addition, the Coastal Advisory Committee, composed in part of local residents and officials, holds all of its meetings in communities in the area as a means of soliciting views of residents and officials.